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October 26, 1988

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OCT 27 1988

MAIL BRANCH

FEDERAL EXPRESS

The Honorable Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: BPH-870820MB, Hartford, Michigan

Dear Ms. Searcy:

We submit herewith, on behalf of our client, American Indian Broadcast Group, Inc., an original and four (4) copies of a Petition for Leave to Amend, and accompanying Amendment to its construction permit application now on file at the Commission for a new FM station to serve Hartford, Michigan on FM channel 279A (103.7 MHz).

Should you or any members of your staff have questions regarding the enclosed, please communicate with the undersigned for clarification. Thank you for your cooperation in this matter. With kind regards, I remain

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In Re Application of)
)
AMERICAN INDIAN BROADCAST GROUP, INC.)
)
For Authority to Construct a New)
Commercial FM Station on Channel 279A)
at Hartford, Michigan)

File No. BPH-870820MB

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JUL 27 1988

To: Chief, Mass Media Bureau

MAIL BRANCH

PETITION FOR LEAVE TO AMEND

American Indian Broadcast Group, Inc. ("American"),
applicant for construction permit for non-reserved FM channel
279A at Hartford, Michigan (BPH-870820MB), by counsel. and

2. In addition to the above, the amendment reflects that Jack W. Bursack, president, director, and 33 1/3% shareholder of American, has acquired 493 shares (49.3%) of the capital stock of Smyrna Broadcasting Corporation, licensee of WSVT(AM), Smyrna, Tennessee, which itself has filed an application for a new FM construction permit to serve Smyrna, Tennessee on FM channel 231A (File No. BPH-880511MB). Also, the amendment reflects the consummation of assignment of license of WCOR(AM), Lebanon, Tennessee to Lynwood H. Eaton, vice president, director, and 33 1/3% shareholder of American. Finally, the amendment reflects the filing of an application for consent to assignment of license of KPOS(AM), Post, Texas, from James G. Boles to American and a related amendment to the FM construction permit application now on file for Post, Texas FM channel 297C2, originally filed by James G. Boles. Thus, the amendment serves to render American's above-captioned application complete and current, consistent with §1.65 of the Commission's Rules.

3. American's amendment proffered herewith involves no deficiency in the tenderability of its application, and would not create any conflict with an application filed subsequent to the filing of its application in original form. Moreover, the applicant expressly disavows any comparative "upgrading" otherwise accruing to the applicant by the virtue of the acceptance of its amendment proffered herewith. While the proposed amendment was, in a sense, required by the "voluntary" act of the applicant, it is nevertheless acceptable in that it brings the application into compliance with §1.65 of the Commission's Rules. In

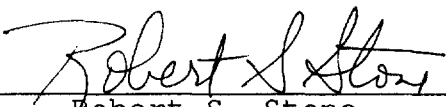
that regard, the applicant has demonstrated due diligence in the preparation and filing of its amendment. Because the amendment is filed prior to designation of its application for hearing, the acceptance of the amendment could not possibly disrupt the orderly conduct of any hearing or necessitate additional hearings. Finally, no other party would be unfairly prejudiced by its acceptance. Accordingly, the applicant has shown good cause for filing the amendment, over and above its obligation to amend its application so as to report significant changes in information previously filed therewith. See Erwin O'Conner Broadcasting Company, 22 FCC 2d 140, 143, 18 RR2d 820, 824 (Rev. Bd. 1970), 47 C.F.R. §73.3522(a)(6).

WHEREFORE, premises considered, American Indian Broadcast Group, Inc. respectfully urges the Chief, Mass Media Bureau to grant the instant petition and accept the accompanying amendment for association with its application consistent with the above.

Respectfully submitted,

AMERICAN INDIAN
BROADCAST GROUP, INC.

McC Campbell & Young, Its Attorneys

By: 
Robert S. Stone

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October 26, 1988
RSS033/P1LZ

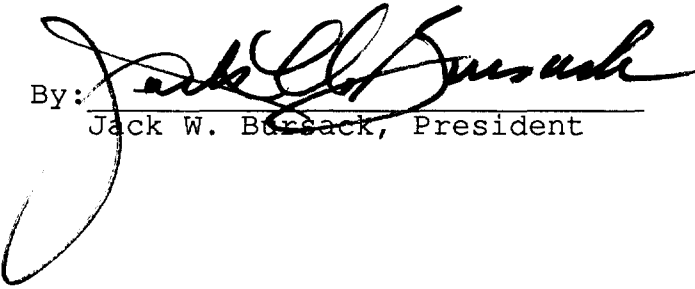
AMENDMENT

The application of American Indian Broadcast Group, Inc. for authority to construct and operate a new FM broadcast station to serve the community of Hartford, Michigan on FM channel 279A (File No. BPH-870820MB) is hereby amended by the attached Rule 1.65 Update.

DATED this 24th day of October, 1988.

AMERICAN INDIAN
BROADCAST GROUP, INC.

By:


Jack W. Barsack, President

RSS031/A24LZ

RULE 1.65 UPDATE

The following table reflects all applications now on file at the Commission of American Indian Broadcast Group, Inc., the applicant herein. While some of the information appearing below may already be reflected by the instant application, a comprehensive listing is furnished for ease of reference. As indicated, all applications are for construction permits for new FM broadcast stations.

<u>LOCATION</u>	<u>FILE NUMBER</u>
Hartford, Michigan	BPH-870820MB
Alamogordo, New Mexico	BPH-870820MC
Atlantic City, New Jersey	BPH-870827MQ
Post, Texas	BPH-870827NF*
Lawton, Oklahoma	BPH-870827NG
Germantown, Tennessee	BPH-870908MQ
DeWitt, Michigan	BPH-870914MC
State College, Pennsylvania	BPH-870916MB
San Angelo, Texas	BPH-870921MB
Windsor, Virginia	BPH-870928MC
Topeka, Kansas	BPH-871124MM
South Yarmouth, Massachusetts	BPH-880107NI
Vero Beach, Florida	BPH-880523MF

* Post Texas application returned by Mass Media Bureau on

president, director, and 98.6% shareholder of Smyrna Broadcasting Corporation, licensee of daytime-only WSVT(AM), Smyrna, Tennessee, following consummation of transfer of control of Smyrna Broadcasting Corporation consistent with FCC approval of an application for consent to transfer of control (File No. BTC-880815EF) by action taken under delegated authority on August 29, 1988.

Lynwood H. Eaton, vice president, director, and 33 1/3% shareholder of American Indian Broadcast Group, Inc., is now licensee of WCOR(AM), Lebanon, Tennessee, following consummation of assignment of license of WCOR consistent with FCC approval of Mr. Eaton's application for consent to assignment of license (File No. BAL-880616ED), by action taken under delegated authority on August 29, 1988.

On October 5, 1988, an application was filed with the Commission for consent to assignment of license of KPOS(AM), Post, Texas, from James G. Boles to American. To date, no Public Notice has been issued by the Commission announcing the acceptance for filing of the application. In addition, on October 5, 1988, the application of James G. Boles for a new FM broadcast station to serve Post, Texas on FM channel 297C2 (File No. BPH-870803MC) was amended to report the acquisition by American of a 49% interest in Mr. Boles' application. Consistent with the agreement between Mr. Boles and American, upon issuance by the Commission of an order accepting the above amendment, American will dismiss its own construction permit application for Post, Texas FM channel 297C2 (File No. BPH-870827NF), which

remains pending by virtue of American's petition for reconsideration of the Commission's January 28, 1988 return of American's Post, Texas construction permit application.

The residential address of Lynwood H. Eaton, vice president, director, and 33% shareholder of American Indian Broadcast Group, Inc., is 26 Burbank Road, Sutton, Massachusetts 01527.

RSS031/R165LZ/2